

REMARKS

The Office Action dated September 28, 2007 has been received and reviewed by the applicant. Claims 1-36 and 42-44 are in the application. Claims 1-36 and 42-44 stand rejected. Claims 1-36 and 42-44 are canceled and new claims 45-56 are added.

Claims 1-15 stand rejected under 35 U.S.C. 112, second paragraph, a being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitation "to the exhibition system" in (b). There is insufficient antecedent basis for this limitation in the claim. The examiner will interpret the phrase as "to an exhibition system". This rejection is now moot in light of the new claims.

Claims 1-36 and 42-44 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki (US Patent 5,959,672) in view of Rai et al. (US Patent 6,337,692). In response, new claims 45 -56 are added. Each new independent claim, in summary, includes the limitation of respectively transmitting two different metadata to two different movie theaters each metadata specifying the *same region* but *different colorimetric transforms*. Neither Sasaki nor Rai disclose these limitations. Clearly, there is no teaching or suggestion of transmitting to different movie theaters, and just as clearly, there is no metadata going to each movie theater each metadata having the same region specified, but a different colorimetric transform. The invention is for permitting local exhibitors to adopt colorimetric characteristics of flesh tones to suit local preferences (see page 5, lines 4 - 7).

The Examiner states in the Examiner's Remarks that the "claim invention is also for error correcting." This is incorrect as an "error" correction is a correction for something the user did not originally intend at all; in contrast, the claimed invention intended the original to be in its original condition (the front end) so that "local" adaptations which better fit local or cultural preferences can be made at the movie theater (the back end). It is appreciated that the Examiner may make broad interpretations of claim language, but it is respectfully suggested that this interpretation does not broadly fit within the scope of the benefits of the claimed invention.

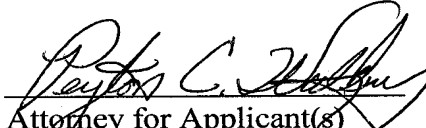
Still further, claims 46 and 53 include "colorimetric" limitations and the prior art, at best, discloses "spatial" limitations. These limitations are substantially the same as original claim 9 and these remarks address the Examiner's comments in regard to claim 9.

In light of all of the above, an early Notice of Allowance is respectfully requested.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

For the reasons set forth above, it is believed that the application is in condition for allowance. Accordingly, reconsideration and favorable action are respectfully solicited.

Respectfully submitted,


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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.